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October 30, 2020

**VIA ECF**

Honorable Sarah Netburn  
United States Magistrate Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: Lucille Tirado, Admin. v. The City of New York, et al.  
Docket No.: 19 CV 10377  
Our File No.: 611-3290

Dear Judge Netburn:

In compliance with the Court's Order on October 23, 2020, I write to advise that Notices of Appearance for Hernando Brown, s/h/a/ Correction Officer Brown, have been filed by my office today. Service of Process has been resolved by designation of my firm at 99 Park Avenue, New York, NY 10016 for service of process upon Hernando Brown, for this lawsuit only. Accordingly, the parties have agreed that defendant's Brown's last known address is no longer needed for service of process.

Our firm submitted a pre-answer motion to dismiss on behalf of The City pursuant to Rule 12(b)(6) of the Federal Rules and Civil Procedures on June 26, 2020. We recently appeared on behalf of Correction Officers Ward, Sistrunk, Nugent, Daniels, Azeez, Captains Batchelor, Prince and Ellis as well as PA Alexis Quentz, we requested that our pending motion to dismiss be extended to apply to these individual defendants as well as The City of New York, and that request was granted by the Court.

As we now represent defendant Hernando Brown, s/h/a/ Correction Officer Brown, we respectfully request that our pending motion to dismiss be extended to apply to defendant Hernando Brown, as well as The City of New York and the above-mentioned individual defendants. Plaintiff's attorney does not object to this application.

**HEIDELL, PITTONI, MURPHY & BACH, LLP**

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Thank you for your consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Austa S. Devlin".

Austa S. Devlin

ASD/dh

cc: **VIA ECF**  
THE LAW OFFICE OF  
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Defendants' request to extend their Motion to Dismiss, ECF No. 50, to include Defendant CO Hernando Brown is GRANTED.  
**SO ORDERED.**

A handwritten signature in black ink, appearing to read "Sarah Netburn".  
\_\_\_\_\_  
SARAH NETBURN  
United States Magistrate Judge

Dated: November 4, 2020  
New York, New York